

AL-10-000-6199



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029

The Honorable Bill Shuster  
Member, U.S. House of Representatives  
100 Lincoln Way East, Suite B  
Chambersburg, Pennsylvania 17201

MAY 10 2010

Dear Representative Shuster:

Thank you for your letter of April 21, 2010 to the U.S. Environmental Protection Agency (EPA) on behalf of your constituent, Mr. Daniel J. Fisher, regarding D.L. Martin Company's (D.L. Martin) consultation with EPA concerning its toxic chemical release reporting requirements under Section 313 of the Emergency Planning and Community Right-to-Know Act (EPCRA Section 313). EPA is presently negotiating with D.L. Martin to resolve this matter.

In January, 2009 an environmental consultant, on behalf of D.L. Martin, sought technical assistance from EPA by telephone and by written correspondence regarding D.L. Martin's compliance status with EPCRA Section 313. Based on EPA's review of the information submitted by the consultant, EPA had reason to believe that D.L. Martin may have violated Section 313 of the Emergency Planning and Community Right-to-Know Act by failing to timely submit its required toxic chemical release reports for calendar years 2004, 2005, 2006, and 2007.

EPA is currently pre-negotiating a settlement with D.L. Martin prior to the filing of an Administrative Complaint addressing the violations referenced above.

If you have any questions, please do not hesitate to contact me or have your staff contact Mrs. Megan Mackey, EPA's Pennsylvania Liaison, at 215-814-5534.

Sincerely,

A handwritten signature in black ink, appearing to read "Shawn M. Garvin", is written over a large, stylized, and somewhat illegible signature that appears to be "M. Garvin".

Shawn M. Garvin  
Regional Administrator

